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May 13, 2013

By ECF

The Hon. John Gleeson  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

***Re: United States v. Agron Hasbajrami,  
11 Cr. 623 (JG)***

Dear Judge Gleeson:

As per this Court's Order, dated, April 22, 2013, and supplementing my letter to the Court, dated, April 26, 2013 (ecf #50), I write to inform the Court that there have been delays in the defendant's ability to receive the files mailed to him on April 26<sup>th</sup>.

I have received a letter from FCI Fairton explaining that the defendant, Agron Hasbajrami, "has failed to obtain an authorized BP-331, Authorization to Receive Package or Property" form, and as such the package of files that I sent him were refused by the facility and returned to me. I have since emailed with the defendant and explained the situation to him. He has stated that he intends to complete the appropriate form and provide it to either his counselor or case manager, and I asked him to inform me as soon as he has done so, at which point I will make a second attempt to send him the files addressed in my April 26, 2013 letter. At present, I am still waiting for confirmation from the defendant that the BP-331 form has been completed.

Irrespective of the original package of files, on May 1, 2013, I mailed to the defendant the following additional files:

1. The Government's September 29, 2011, Rule 16 letter (ecf # 11), along with the discovery Bates stamped 1-40, which is referenced therein;
2. A copy of the CD labeled 428, referenced in the Government's March 1, 2012, Rule 16 letter (ecf # 22); and
3. A signed copy of the defendant's plea agreement, dated, April 12, 2012.

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Neither FCI Fairton nor the defendant has informed me whether the defendant has received these three additional files. If it turns out that these files were rejected by the facility as well, then I will re-send them as soon as the defendant has submitted a BP-331 form.

The only remaining document related to this Court's April 22, 2013, Order is the transcript of the defendant's sentencing hearing. As soon as I receive a copy of said transcript I will mail it to the defendant.

Should the Court require any further information, please feel free to contact me directly at (212) 929-0592.

Respectfully submitted,



Michael K. Bachrach

MKB/mb

cc: AUSA Seth DuCharme (by ECF)  
Steve Zissou, Esq. (by ECF)